

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GENESIS MARINE, LLC
Plaintiff

VERSUS

SGR ENERGY, INC.
Defendant

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CIVIL ACTION NO. 4:21-cv-00289

MOTION TO COMPEL THE CORPORATE DEPOSITION OF SGR ENERGY, INC.

NOW INTO COURT, through undersigned counsel, comes plaintiff, Genesis Marine, LLC (“Genesis”), which moves to court to compel the corporate deposition of SGR Energy Inc. (“SGR”).

In support of its motion, Genesis shows that on October 14, 2021, it noticed the corporate deposition of SGR to determine what assets SGR had so that Genesis could execute on its judgment against SGR. On the day before the deposition was to occur, November 15, 2021, SGR filed for bankruptcy.

Thereafter, after Genesis moved to dismiss SGR's bankruptcy on the basis it was filed in bad faith, SGR's filed its own voluntary motion to dismiss its bankruptcy. The bankruptcy court subsequently ordered the case was dismissed and that SGR could not file another bankruptcy proceeding for 60 days from January 22, 2022, or until March 22, 2022.

As a result, Genesis again moved to take the corporate deposition of SGR to determine its assets so that it could execute on its judgment. On February 1, 2022, Genesis reissued the SGR notice of deposition for February 21, 2022, but SGR failed to attend. Before the deposition, Genesis made reasonable efforts to contact SGR's and its counsel to confirm that they would attend

the deposition, but SGR did not do so. Accordingly, Genesis went on the record to confirm that SGR did not attend. A copy of the transcript of the deposition is attached as Exhibit 1.

For these reasons, Genesis seeks an order from the Court compelling SGR to attend its corporate deposition within the next seven days.

Respectfully submitted,

PHELPS DUNBAR LLP

BY: /s/ E. Martin McLeod

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CERTIFICATE OF SERVICE

I certify that on this 8th day of March, 2022, a true and correct copy of the foregoing instrument has been served upon all counsel of record via CM/ECF.

/s/ E. Martin McLeod

Of Phelps Dunbar, LLP